

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JERRY CANKAT,

Plaintiff,

15 CV 4963 (SJ) (MDG)

- against -

FINAL JUDGMENT OF  
MANDATORY INJUNCTION

41<sup>ST</sup> AVENUE RESTAURANT CORP. d/b/a  
MONAHAN and FITZGERALD, and BAYSIDE  
RE GROUP, LLC

Defendants.  
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Plaintiff having moved for a default judgment against defendants in this action (the "Default Motion"); and defendants having failed to timely answer or appear; and the Clerk of Court having entered their default upon the record pursuant to Federal Rule of Civil Procedure 55(a); and the Court, by Memorandum and Order dated December 8, 2016, having granted the Default Motion in part; it is hereby

**ORDERED AND ADJUDGED**, that Plaintiff's motion for default judgment is granted to the extent set forth in the Memorandum and Order; and it is further

**ORDERED, ADJUDGED, and DECREED**, that

1. Within one year, the Restaurant will make the entrance accessible to Plaintiff and others similarly situated;

2. Within one year, the Restaurant is to comply with 36 C.F.R. Part 1191, Appendices B, C and D;
3. Failure to do so will result in civil liability for an independent survey of the premises and fees for enforcement litigation;
4. If within one year, the Restaurant continues to deny Plaintiff and others similarly situated, full and equal enjoyment of its goods and services, Plaintiff may seek leave to reopen the case.

**ORDERED AND ADJUDGED**, that attorney's fees are awarded here in the amount of \$460 and costs for litigation in the amount of \$550; therefore, the total award for this matter is \$1,010.

**SO ORDERED.**

Dated: December 12 2016  
Brooklyn, NY

s/Sterling Johnson, Jr.  
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Sterling Johnson, Jr., Senior U.S.D.J.